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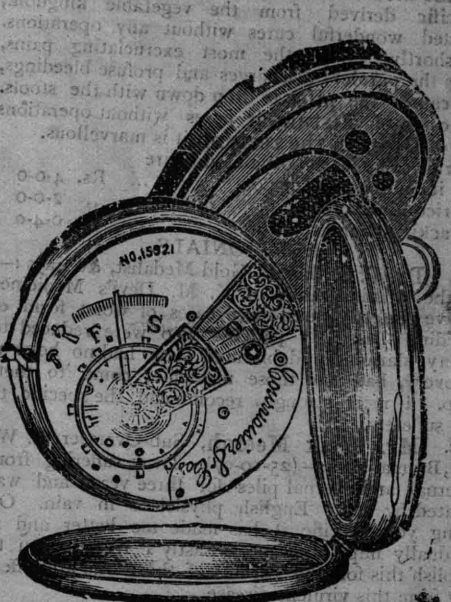
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THE
Amrita Bazar Patrika

CALCUTTA, JANUARY 23, 1898.

THE EFFECT OF THE SEDITION
MEASURES UPON PARTIES
INTERESTED.

THERE are four parties who are interested in this sedition measure, viz., Englishmen, officials, the permanent inhabitants of this country and the malcontents. The Indian Empire is a "property" of Englishmen. To their credit be it said that if their desire is to retain their supremacy over the country at all hazards, it is also their desire to give the people a first-class government.

The officials have precisely the same desire, but they have two more: one is to make the Empire profitable to themselves, and the other is, to be able to govern the country without let or hindrance.

The inhabitants of the soil appreciate the blessings of British rule; they also know that they cannot now do without British supremacy, and, therefore, they can have no desire to change it. They naturally consider it a grievance, if they are not governed well.

The malcontents, whose number must necessarily be small, come from that vast class of men, the masses, who are ignorant and have no property, who love chaos and misrule.

Let us now see how these four classes of people are affected by the comprehensive sedition measures, which the authorities have proposed to introduce to stop disaffection. First, let us take the case of the people. The British Government has pledged its word, (and enlightened as it is, it cannot do otherwise) that it would introduce no measure which is considered obnoxious by the people, and which does not confer benefits upon them. So carefully does the British Government follow this rule that, even when the Age of Consent measure was passed, it felt it to be a duty to shew that some classes of the people at least had sympathy for it.

But no man in India has shewn any sympathy for this sedition measure; on the other hand, all are dead opposed to it. In the Age of Consent measure every European resident of the country accorded his support to it. But in these sedition measures the Government has not even the support of the European community. Those few Europeans who have accorded their support, have done it on the selfish ground that, they being Europeans, did not care how the Government dealt with the people. It seems even the *Englishman*, the only supporter of the measures, is relenting. Other European residents have violently opposed the measures.

If this gagging of the press is effected, the people will be deprived of the only means they have, of making their wishes and grievances known to the rulers of the land. They are not thus for the gagging.

The next in importance, who are interested in the Empire, are Englishmen at home; in fact, they are the real owners of this valuable "jewel". Will they, in any way benefit by the measure? Let us see. What they desire is a first-class rule for India. They send out officials here with injunctions to govern the country well. They keep a keen eye over the doings of these officials in India. The officials send rosette reports, and the native papers present the other side. The native papers serve as a free intelligence department to Englishmen at home. If the native papers are gagged, Englishmen at home will only get the bright side of the picture, and be deprived of the service of this free intelligence department viz., the native papers.

If their servants, the officials here, ruin the Empire, they will know nothing of it. So the proposed measures will not benefit them, but will, on the other hand, deprive them of an inestimable advantage, which they now possess in a free press.

The other classes interested in the Empire are the officials. If the native papers are gagged, they will derive this advantage that there will be none to criticize their measures, and they will have everything in their own way. They do not like control, even from Parliament. Nay, they will not take help from the British exchequer, lest by that they bring some sort of control upon themselves. What they want is absolutely a free hand in governing this Empire, and they claim that England should trust them absolutely, and remain satisfied with their reports.

Of course, by gagging the native papers, the officials will bring upon themselves dangers which don't exist now. But the other advantage—freedom from all sorts of control and interference—blinds them to that aspect of the question. They deliberately shut their eyes to the dangers which a gagged press is sure to bring in its train upon the Empire, in their joy of freedom from all adverse criticism! We shall explain presently what these dangers are.

The other class—the malcontents—will benefit by these sedition measures, all round. Their number, it is true, is infinitesimal, but that fact does not take away their supreme importance. One Damodar has been able to move the Empire in a way, which thousands of Tilaks could not have done. These men will flourish under the aegis of these sedition measures. The Bawa of Chakalsi preached sedition and found a following of five hundred men. He was able to do it, because there were no newspapers in that quarter. Such Bawas are likely to flourish in a country which has no free press. If the press is gagged, no newspaper will venture to give out the doings of conspirators, even when fully cognizant of their doings.

It was alleged by the *Englishman* that a Mussalman was preaching sedition at Bhalgapore. He will never again give place to such an information in his paper. Surely, the native papers will never care to do it. For, under the proposed measure, if an Editor gives any warning, he will have to do it on his own peril. How beautiful the arrangement!

Thus, we have tried to shew that of the four parties interested in the Empire, two viz., the people of the country and Englishmen who own the country, will derive no advantage from the measures. On the other hand, they will only lose by them. The only parties who are likely to derive any advantage, are the other two, viz., officials partially, and the malcontents completely.

It is exceedingly doubtful, whether the advantages, which the officials hope to secure by this gagging measure, will in any way compensate for the danger which it is sure to bring in its train. Of course, every one of them has a desire to govern well,—to govern well without danger to himself,—and to keep the fair fame of the Service, to which he belongs, unsullied. But being an alien, it is impossible for him to govern well without a free press. Without a free press it will be impossible for him to know the dangers that surround him. Indeed, deprived of the service of this free intelligence department, namely, the native papers, he will see a spectre in every bush. When he feels that he has offended the people by an unpopular measure or act, he will have to pass his days and nights in constant alarm.

And without a free press an official will not be able to protect a brother-official from his own misdeeds. They now have the means of knowing the works of their brethren through the means of the native papers. If an imbecile brother-official digs in a pit for himself, a brother comes to his rescue and saves him. But the press gagged, the country will be immersed in Cimmerian darkness. They will not be able even to help one another.

The real fight about this sedition measure is between Englishmen and their servants, here sent to rule India. The sedition measures will deprive the owners of the Empire,—Englishmen in general—of the only means of knowing how their servants are doing their work here. The officials, however, proclaim that they want the sedition measures to save the Empire of the English; but the effect will be that the real owners of the Empire will be, if the press is gagged, deprived of the only means of exercising any effective or real control over the government of this vast Empire.

By these measures, the power will be transferred from the hands of the English people to those of the officials. Now Englishmen have some control over the Indian Empire. When the native papers are gagged, they will have practically none.

Of course, the officials claim that they too are Englishmen, and may say that the distinction drawn between Englishmen at home and English officials in India, is an artificial one. But is it so? Have not the officials their own interests to serve? Englishmen at home have none. Let us quote a sentence from the *Echo*. That paper says:—

It is the Government and not the vernacular Press which is imperilling the peace of the country.

Yes, the *Echo* has the discredit of being a Liberal paper; but yet Liberals are Englishmen, and they form half of the country, and oftentimes rule the Empire. But what the *Echo* says can be proved,—that it is the Government and not the native papers that create disaffection.

Sir Charles Elliott declared in a State paper that the Age of Consent measure "created a wave of disaffection in Bengal." So, here is a distinct and definite admission, by one of the most trusted of all officials, that the Government of Lord Lansdowne created disaffection in the land by a needless measure.

Then, did not the Government of Bombay create disaffection by the enforcement of plague rules? The murder of British officials, a thing unheard of in India, is a proof of that allegation. So the *Echo* has every right to declare that the Government does spread disaffection, now and then.

That being the case, if, say, a Viceroy, or his military clique, or say, if a local ruler with a good fund of prejudice, ruin the Empire by his folly, passion or prejudice, how will the English people at home know it, if the press is gagged? Surely, the officials themselves will not betray one another, and they have never as yet sent any but reports in rosette colours.

A free press was some sort of check upon the rulers here. That check removed, a reckless official will be encouraged in giving himself up entirely to his passion and prejudice. If it was possible for Lord Lansdowne to create disaffection when the press was free, if the press is gagged, it will be far easier for his successors to do it.

The fact is, the English people themselves are vitally interested in keeping the press free here. The Liberals see it, but the Tories do not; and hence the latter support the measure, while the former do not.

The only classes that will benefit by the sedition measures are the malcontents, and all other classes will suffer.

THE QUESTION OF PUNISHMENT.

It is a matter of grave importance to the people of this country, which ought to be raised in connection with the proposed amendment of the sedition law, how Sir James Stephen, when adding section 124A, to the Indian Penal Code, came to provide transportation of life for the offence of sedition. Sir James (then Mr.) Stephen founded that section on section 113 of the Draft Penal Code of 1837, usually known as Lord Macaulay's Code, which ran thus:—

113. Whoever, by words, either spoken or intended to be read, or by signs, or by visible representations, attempts to excite feelings of disaffection to the Government established by law in the territories of the East India Company, among any class of people who live under that Government, shall be punished with banishment for life or for any term from the territories of the East India Company, to which fine may be added, or with simple imprisonment for a term which may extend to three years, to which fine may be added, or with fine.

Mr. Stephen's section is as follows:—

124A. Whoever, by words, either spoken or intended to be read, or by signs, or by visible representations, or otherwise, excites or attempts to excite feelings of disaffection to the Government established by law in British India, shall be punished with transportation for life or for any term, to which fine may be added, or with imprisonment for a term which may extend to three years, to which fine may be added, or with fine.

It will be seen that Mr. Stephen bodily adopted the section, with this material difference, that he substituted "transportation for life" in his own section in the place of "banishment for life" in the old. Now, it is needless to point out that "banishment for life", as it was understood in 1837, is quite a different thing from "transportation for life", as we understand it now. The banishment then meant either the deportation of disagreeable Europeans to the countries from where they came, or the deportation of the Natives beyond the territories of the East India Company, which did not then cover more than half of India, to those of the Native Princes. The Law Commissioners, however, strongly commented upon this draconian severity of the punishment, as their following observations on the Chapter of Punishments will show:—

We have remarked that there are only three clauses (113, 114, and 290) in which banishment from the territories of the East India Company is authorized as the primary punishment of offences. In commenting upon clause 113, we reserved our opinion upon the propriety of the punishment of banishment for the offence of attempting to excite feelings of disaffection to the Government, therein defined, until we should have maturely considered the Chapter of Punishments. We

have now to submit our opinion that it would be an unwarrantable severity to inflict the punishment of banishment for life upon a Native of the Territories of the East India Company, constantly domiciled there, from birth, for the offence in question. Probably the extreme penalty of banishment for life was not intended to be applied to persons of this description, but to temporary inhabitants. It might perhaps be sometimes politically expedient to banish a temporary inhabitant, convicted of attempting to excite disaffection to the Government, for life. But we do not think it consistent with the principles upon which the penal provisions of the Code have been constructed generally, to extend the punishment beyond the measure of the offence upon any such consideration. We think, the punishment of banishment is a fit punishment for the offence; but we would recommend that the term be limited to 5 years, as the term of simple imprisonment, which may be inflicted in the alternative, is limited to 3 years.

It will be seen with what earnestness did the Law Commissioners object to banishment for life for an offence like that of sedition. They recommended that such extreme course should be adopted only in the case of political offenders, who were "temporary inhabitants," and even then, the term should be limited to five years. As a rule, however, they recommended that a person, guilty of sedition, should be given three years' simple imprisonment.

The only way in which we can explain the substitution of "transportation" for "banishment" is that, the remarks of the Law Commissioners escaped the notice of Mr. Stephen. It is in no uncertain terms that the Commissioners commented upon the draconian character of the punishment; and there is no doubt of it that, if the section were embodied in the Code in 1837, "banishment for life" would have been taken out of it, in deference to such emphatic protest of the Commissioners, and their recommendations adopted. Indeed, their voice was bound to be regarded as supreme in this matter, as they were a body of distinguished personages, specially appointed to examine and report every section of the Code. Mark also that the Commissioners recommended *simple* and not *rigorous* imprisonment of three years for the offence.

That it was not the intention of the original framers of the Penal Code to fix the extreme penalty, next to hanging, for the offence of sedition, is also clear from the maximum punishment provided for in section 505 of the Penal Code. This section lays down that, whoever publishes any statement, "which he knows to be false," "with intent to cause any officer, soldier or sailor in the Army or Navy of the Queen to mutiny," shall be punished with two years' imprisonment. Surely, this offence is far graver than that of sedition. And yet two years is the highest punishment provided for it. It is monstrous to conceive that a public writer or speaker should spend the natural term of his life in the Andamans, because an unguarded expression escaped his pen or lips.

It is also palpable that, it was through a mere oversight that Mr. Stephen provided transportation for life in section 124A, when the amount of punishment fixed by him for the same offence in England is taken into consideration. In an earlier issue, we have already pointed out that, while codifying the criminal laws of England in 1878-79, Sir James Stephen, in section 103 of his Draft Code, provided as follows:—

Every one shall be guilty of an indictable offence and shall be liable upon conviction thereof to *two years' imprisonment*, who speaks any seditious words or publishes any seditious libel or is a party to any seditious conspiracy.

So the maximum punishment fixed in England was only two years; and unless one is prepared to call Sir James Stephen a monster of perversity, which certainly he was not, it must be conceded that he was unconsciously led to provide transportation for life for the same offence in India. And the reader is aware that, a person, convicted of sedition or seditious libel in England, is treated as a misdemeanant of the first class. That is to say, he has the privilege of living within the four walls of the jail just as he does in his own house.

The real sting of the proposed Sedition Law lies in the horrible punishment provided for in the section. We hope, the representative members in the Select Committee will bring this matter prominently to the notice of the Law Member. Surely, the Indian subjects of the Queen are as much the children of Her Majesty as the English. Why should not then the same punishment be provided for both of them, when convicted of the same offence? Nay, strict justice requires that an Indian offender, convicted of sedition, ought to be treated much more leniently than an Englishman, found guilty of the same offence.

THE JEW AND PORTIA.

SAYS the *Daily News*—It is a difficult business in Germany, to criticise the German Emperor. Fines and imprisonment are the price of direct criticism. But the Germans, being a learned race, have found ingenious ways of indirect criticism. They search in the records of antiquity for historic parallels or philosophic maxims, and put or read modern meanings into them.

The Indian papers, if they have to criticise Government measure when the Chalmers Bill is made law, will have to find many such "ingenious ways" to do so. We shall try to furnish an example to-day.

The reader, if he has forgotten the story of the Merchant of Venice, will have to read it again to understand the following. The Jew wanted his pound of flesh by right of his bond, and Portia deprived him out of it by a clever trick. Following the illustrious poet, we have tried, in the following, to describe, in the form of a dialogue, in some respects a similar drama that is just now being enacted in this part of the world. The Indian press is the Jew, and Portia the Hon'ble Mr. Chalmers.

Portia.—What is it you want?
Jew.—Freedom of speech, as enjoyed by every subject of the Queen.

Portia.—On what grounds do you demand the privilege?

Jew.—They are many. As sons of the same Father we demand the treatment of brethren from those who are Christians. As a civilized and intelligent race, freedom of speech is our birthright. As subjects of the Queen, we have as much right to it as others.

Portia.—Any other?

Jew.—Yes, the Queen herself graciously promised us the rights of British citizenship.

Portia.—Have you anything more to say?

Jew.—Yes, without a free press the Government will not be able to rule the country properly. A Gag Act will also bring upon itself dangers which do not exist now.

Portia.—I do fully agree with you. As an Englishman, I would be ashamed of myself if I had anything to do with such an un-English measure as the gagging of the press. I do love and obey my sovereign, and I know she has decreed that the Indians should be treated in the same manner as her other subjects are.

India.
Can alter a decree established:

"Twill be recorded for a precedent;
And many an error, by the same example
Will rush into the State: It cannot be."

The British Government is pledged to rule India under enlightened principles; freedom of speech can never be interfered with.

Jew.—A Daniel come to judgment, yea, a Daniel.

—how I do honour thee!

Portia.—Lawfully you are entitled to freedom of speech.

Jew.—O noble judge! O, excellent young man!

Portia.—But be merciful! We who are but mere clerks to carry out the mandate which comes from our masters at home, have to obey orders. Be merciful, Jew, we must obey order.

Jew.—By my soul, I swear. There is no power in the tongue of man to alter me. I stay here on my right.

Portia.—So you won't be merciful? But yet as I said, you are entitled to the right.

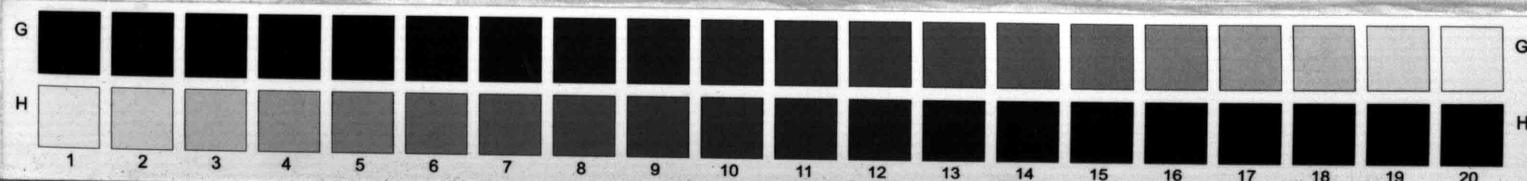
Jew.—Most rightful Judge!

Portia.—Tarry a little; there is something else. You are entitled to freedom of speech and you can make the most of it. But if in going to write freely, you, in any way, shew any "want of affection," or more accurately, betray any contempt, ill-will, or hatred for the Christian masters of the land, "thy lands and goods are, by the laws of India, confiscated unto the State of India"; and further you are to pass the rest of your days in the Andamans. In short, Jew, abuse us, Christians, as much as you like, but if your language betrays contempt, then transportation for life is to be your portion mind that.

A Daniel come to judgment, Yea, a Daniel, —how I honour thee!

* This bond doth give thee here no jot of blood;
The words expressly are a pound of flesh;
Take then thy bond, take thou thy pound of flesh;

But, in the cutting of it if thou dost shed
One drop of Christian blood, thy lands
and goods
Are, by the laws of Venice, confiscated.
Unto the State of Venice.—Merchant of Venice



At the invitation of our distinguished countryman, Mr. W. C. Bonnerjee, the *élite* of the Calcutta Society assembled on Wednesday evening at his palatial building at Chowranghee to meet the Rt. Hon'ble Lord Kinnaird, who has been staying here since some time and is now a guest of the Viceroy. The honoured guest of the evening is a Peer of the Realm and a member of the House of Lords. His father and mother took great interest in India generally, and particularly in mission work, connected with the Church of England Missionary Society. He also takes a good deal of interest in our country from the same point of view, though he is far from a bigot. He is much interested in the drink question, and is associated with Mr. W. S. Caine in fighting the battle of temperance. Lord Kinnaird is by profession a banker, and a partner of one of the leading banking-houses in London. He is 51 years old, but looks much younger. This is his second visit to India, his first having been paid so early as 1871. Those who came across Lord Kinnaird had an opportunity of talking with him, were impressed with his courteous and affable manners. Indeed, he seemed to be quite at home with all, and chatted with them freely, as if they were his old friends. Mr. Bonnerjee, it is needless to say, received his guests with great cordiality, and spared no pains to make them comfortable and pass a most pleasant evening at his house.

A CORRESPONDENT has furnished the *Englishman* with the following story from Delhi:

Some four or five hundred Peshawaris and trans-frontier men—the jats of Pathan trader usually met with in all parts of India—(ostensibly for trade purposes in Bengal) have recently more or less invaded the villages of the Bulandshahr district, to the extent of one to three men in each village. They almost insist upon working as labourers in the field, building huts, helping in irrigation, etc. They work with a will and energy, not to be met with in anyone but a Pathan when he's keen on a thing; but they absolutely refuse to take payment of any sort. They refuse to leave the villages. Their food they beg, but will not receive it from anyone they may be working for. One day they work for A and beg food from B; when working for B, however, they will not accept food from him, but perhaps go to A. As far as the villagers and others know, they don't get a pice payment from anyone. When asked their reason, their only reply is, "Islam!" or "For God!" The villagers are much exercised, and have in fact applied to the land-owners for relief from these mysterious gangs of free labourers.

There is no doubt of it that the writer and a good many Anglo-Indians will be exercised over the above incident. The Indian Press will, however, now serve as the beacon-light for our rulers. It is this Press, which keeps them informed of what is going on beneath the surface. Once this light is put out, they will find themselves groping in utter darkness, and a mere ripple on the surface will make them see spectres all around.

From the report published in our last issue, it will be seen that the Serampur Municipal case has ended in the setting aside, by the High Court, of the order of the Joint Magistrate of Serampur, who convicted the Chairman, Rai Kedar Nath Chatterji, for the alleged offence of "neglecting to keep a factory free from effluvia arising from a privy." The conviction was under the Factories Act. Their Lordships (Hill and Stevens, J. J.) were clearly of opinion that, assuming that the Municipal Committee or their Chairman could at all be made criminally liable under the provision of section 17 of the Factories Act, the conviction was unsustainable on the findings of the Magistrate. The strange part of the affair has yet to be told. The Magistrate found both the Municipality and the Manager of the factory jointly responsible for the state of things in which the latrine was found; but he punished the Municipality only, because the latter did not prove that the Manager was aware of the nuisance—a proposition which their Lordships thought was "clearly erroneous." On the other hand, their Lordships held that in order to fix liability on any person other than the occupier of a factory, it was incumbent upon the latter to give the strictest proof of circumstances exonerating himself; and on the face of the section it was plain that the burden of proving absence of knowledge on his part entirely lay on him. In the present case, on the Magistrate's own finding the manager was not discharged from his liability, and therefore, the liability could not be fixed on any other person. It is needless to add that the fine of Rs. 200, imposed on the Chairman, was ordered to be refunded. We wish their Lordships had gone into all the questions raised by the defence counsel, and settled once for all whether or not the Chairman of a Corporate body like a Municipality can be hauled up on a criminal charge in the way Rai Kedar Nath was done.

A BOMBAY telegram, dated the 18th instant, says that ten arrests have been made in connection with the Chaklasi riot, including the so-called Bhagat, and these have been detained at Narand. Two constables have died of their wounds, and the other three are lying in hospital. The Kolis and their families have fled from Chaklasi. The troops and police bivouac there. The land revenue revision is said to be at the bottom of the disturbance; but this requires confirmation. It would be interesting to note here that the Kolis form one of the chief cultivating classes of that neighbourhood. The character of the Kolis as agriculturists, varies

much in different parts of the Ahmedabad district. In the more central villages they are excellent husbandmen; but towards the frontier they are a little superior to other aboriginal tribes. Crimes of violence are said to be common amongst them in some parts; but as a class, they have settled down in the position of peaceful agriculturists.

The times are really out of joint. The majority of the Judges of the Calcutta High Court, we hear, have practically supported the Sedition Bill. We hope, their opinions will be published, and the public will be allowed an opportunity to examine the arguments they have brought forward to prop up a measure which has been so severely condemned by the entire Liberal press. It seems, their Lordships, like the Government, altogether forgot, the fact that the interests of the Empire were superior to those of the officials; and that these Imperial interests will suffer very much if the Bill is passed and freedom of speech and writing interfered with. It is some consolation to learn that the two Hindu Judges of the High Court have opposed the measure in a separate note, though not in the way expected of them. It is said that they have suggested to take away the word, "contempt" and retain the word "hatred" in the section. But what is hatred? If that word could be defined, it would be all right; but so long you leave it undefined, it means very little, whether you keep the word "hatred" or "contempt." What their Lordships should have done, in our humble opinion, was to insist that the existing section, with the explanation, should be left undisturbed. At least, they ought to have insisted that the two safe-guards in the present explanation, namely, criminal intent and incitement to violence, should, on no account, be taken away. What the Hon'ble Judges of the High Court have failed to do will, we hope, be accomplished by the representative members of the Council. The former are, after all, but officials; but the latter are independent gentlemen and they have no reason to mince matters.

Those who fondly hoped that the Government might yet relent and postpone the consideration of the Sedition Bill to the next session, would be disappointed to learn that the Select Committee is going to take up the matter next Monday; and, for aught one knows to the contrary, may finish the whole thing in one sitting. The two Hindu members on the Committee, the Hon'ble Maharajah Durbhanga and the Hon'ble Ananda Charlu, have an up-hill work before them. We hope, they will do their duty at this juncture. The public should also lose no time in expressing their views on the subject.

HERE is another case to show that incitement to violence is essential to prove a case of seditious libel in England. In the case against Sir Francis Burdett who was prosecuted for seditious libel, in 1820, Best, J. says:

In forming their opinion on the question of libel, I told the jury that they were to consider whether the paper contained a sober address to the reason of mankind or whether it was an appeal to their passions, calculated to incite them to acts of violence and outrage. If it was of the former description, it was not a libel; if, of the latter description, it was. (p. 131) "Barnewall and Alderson" Vol. IV.

The italics are ours.

The reader may remember that in 1890 the Senate of the Bombay University passed certain resolutions, exempting "ploughed" under-graduates from the necessity of appearing again at an examination in subjects in which they had once secured 45 per cent. of maximum marks. Of late, the educated Indian public have come to realize the pernicious effect of the existing University examination system; and an earnest desire has manifested itself everywhere to do away with it. Thus there was a movement in Bombay, the life and soul of which was the Hon'ble Mr. Justice Ranade; and he succeeded in getting the resolutions, alluded to above, passed, in spite of the opposition of the Syndicate. According to rules, they were submitted to the Bombay Government for their sanction. The Government, it seems, took a long time to consider the matter, for it disposed of it only the other day. The conclusion they have arrived at is, however, one in which nothing is concluded, for, it has only referred the matter back to the Senate. Unlike its other actions, the Bombay Government has this time given reasons for their action. One of them is, that "if the present restriction be done away with, it would make the acquisition of degrees easier. But, do not more lenient rules obtain in English Universities? We hope, the Senate will not be discouraged by the action of the Bombay Government to give up a most needed reform, but stand by it; for, the matter is one in which every Indian parent is vitally interested.

We quote the following from the telegram, of the *Pioneer's* Bombay correspondent, dated the 18th January:

So far as Bombay City is concerned the scare among the people is now equal to what prevailed last year and despite all obstacles put in the way in the shape of quarantine and restricted railway bookings, the exodus confirms this. The scare to some extent is due to segregation the people, declaring they do not object

to die of the plague if it is *kismet*, but they protest against the Government killing them by exposure, isolation and segregation.

The above does partially represent the feelings of the citizens of Bombay in regard to the plague regulations. The real feeling, we are assured, is far stronger. The only parties, that have opportunities of knowing it, we mean, the native papers, would not give it out for fear of offending the Government.

An Englishman from London has written to the *Champion*, advising the Indians how they should act in view of the proposed sedition measure:

From all this you will be able to judge that progressive opinion is with you, and against the proposals of Lord Elgin. My advice, therefore, is—agitate. In every town in India, meetings should be held, resolutions expressing dislike and fear should be passed, and these must be at once wired to the Liberal papers. One telegram, two telegrams will not do; they must come in hundreds, and, perhaps, you will then be able to defeat these pernicious proposals. If you do not defeat them, and they become the law of the land, no independent honest journal can live in India. Everything that is outspoken and bold will be crushed; and, frankly, under the proposed order of things, I should not care to be the editor of, say, the *Champion*. Therefore, take my advice, agitate, agitate, while there is yet time, and let the sound of your voices reach the British public in no uncertain tone.

The Famine Commission has been engaged during the last few days in taking evidence of merchants and others having business in the export and import of food-grains, the object being to find out, first, whether in the event of the local supply failing, it would be possible to meet the requirements of the people by imports from British India; and secondly, whether, private trade, unaided by Government bounty, could be relied upon to meet the demands of the country. It was also incidentally enquired into, whether it was practicable to get such grain as wheat, maize, etc., from America. The general tenor of the evidence went to show that British India, and secondly, whether, private trade, unaided by Government bounty, could be relied upon to meet the demands of the country. It was also incidentally enquired into, whether it was practicable to get such grain as wheat, maize, etc., from America. 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heart disease has, after his death, been born unto Soshi Gouvalah. Satya, which is his other name, did not at first condescend to comply with the importunate request, but could not help doing the same when his aged mother advised, nay, prevailed upon him, to acquiesce in the Mahomedan's request. He got perfectly cured, as he said, and parted with him and his family, after tendering many and great apologies to Soshi for what he had done (kicked) when he was his father in his past life.

ELEPHANT HUNTING.—Here is a description of the sensational pursuit of a vast herd of elephants. The herd was making off towards their fastnesses in the Burmese forests, but the flying party sent out by the Superintendent had successfully headed it off in the vicinity of the Lachang Valley. During the progress of the arrangements for the surround and drive, the herd appeared suspicious and excited, and finally separated into three distinct detachments, each led by an old tusker. This necessitated a complete change in the plan of operations, and as fodder was scarce it was decided to drive the largest herd over the Kalamati range in order to exhaust them, which was done in a very short time, and they were surrounded. But led by a gigantic tusker, the elephants charged furiously, broke through the ring and made off at a great rate, closely followed by the Superintendent and hunters who had to travel as quickly as possible without tents or baggage of any kind, and after a long and wildly exciting chase, the herd was once more surrounded on the 15th instant. The drive took place on the 17th, on which date they were safely confined in the stockade. The number of the herd is estimated at nearly eighty, including calves. There are some particularly fine females among them. The old tusker who had made such a gallant bid for liberty has also been captured, but it is feared he will have to be destroyed as he is giving a lot of trouble in the stockade and "going for" friends and foes alike. There have been remarkably few casualties during the course of the operations: one hunter had his eye knocked out by the jungle and one was killed by a tiger. There has, however, been a good deal of sickness, and thirty men had to be left behind at one of the camps in charge of the native doctor attached to the party.

THE CRIMINAL PROCEDURE AND SEDITION BILLS.

The following telegram has been sent from Bombay by the Bombay Presidency Association to the Secretary, Imperial Legislative Council, Calcutta:

"Council, Bombay Presidency Association, begs to submit Criminal Procedure Bill objectionable and retrogressive as increasing powers of police, curtailing powers of courts and unduly encroaching upon liberty of subject. Respectfully protests against curtailment of revisional powers of High Court whose jurisdiction, under section 439, Procedure Code, and the Charter, to interfere in revision of examination of criminal returns or otherwise, even though no appeal made is very necessary and salutary, and should be kept intact, any attempt to curtail these powers being looked upon with great alarm. Objects strongly to depriving Appellate Courts of power to revoke sanctions given under section 195, and High Court's power to revise orders for prosecution under section 476. Deprecates withholding under section 162 use of statement made by witnesses, before the police as it deprives accused persons of a proper test of veracity of witnesses. All High Courts except Allahabad admit such statements in evidence; the law should therefore follow the practice of the majority of the High Courts. Considers highly objectionable the amendments of Sections 208, 250, 257, practically compelling accused persons to disclose their defence by cross-examination of witnesses instead of reserving it and being entitled to recall witnesses after entering into defence, similarly the power in Magistrates to examine defence witnesses after commitment under Section 212. Objects to Village Police being empowered to arrest and detain people for more than 24 hours under Sections 54 and 61, and Police Superintendents being invested with certain powers up to 83 to 86 and to Presidency Magistrates being made in certain respects subordinate to the Chief Presidency Magistrate and thus making them less independent. Protests against power under Section 110 to ask security for good behaviour, when a person, considered of a dangerous and desperate character, as too vague and likely to prove an instrument of oppression in the hands of the police; also against the substitution of police surveillance for security bond, even when accused is willing to give bond under Section 118 and against allowing confessions being recorded under section 164, before Subordinate and lower paid Magistrates other than those entitled to try the case as opposed to the views of the High Courts expressed from time to time. Regrets omission to amend Section 275, enabling Indians tried at the High Court Sessions to insist upon majority of jury being his countrymen as he can do in the mofussil, and prays it be so amended. Council protests against amendments in Seditious Law being hurriedly referred to Select Committee before publication and sufficient time for public to make representation. Objects to the vagueness and stringency of the proposed law and to introducing what is called the English law without English safeguards, and protests against Seditious trials being entrusted to Magistrates. Provision empowering Magistrates under Section 108, Criminal Procedure Code, to ask persons in their opinion disseminating seditious or defamatory matter to give security, is calculated to work harshly and amounts to a virtual revival of the Vernacular Press Act, and should be abandoned. Proposed amendment of Section 505, Penal Code, is highly objectionable, as bona fide statements are not protected. Detailed representations on the above and other points in the Criminal Procedure Bill and Seditious Law, are being prepared and will be sent early. Council fervently hopes sufficient time for public discussion will be given before consideration of Select Committee's Reports. Requests in the meantime placing this telegram before the Select Committee and Council."

A son and heir to the Maharaja of Jodhpur was born on Thursday last.

THE SUPREME LEGISLATIVE COUNCIL.

A MEETING of the Council was held Friday at Government House. There were present His Excellency the Viceroy, President, the Hon'ble Sir J. Westland, the Hon'ble M. D. Chalmers, the Hon'ble Major-General Sir E. H. H. Collett, the Hon'ble Sir A. C. Trevor, the Hon'ble C. M. Rivaz, the Hon'ble Rahimulla Muhammad Sayani, the Hon'ble Pandit Bishambar Nath, the Hon'ble Joy Gobind Law, the Hon'ble C. C. Stevens, the Hon'ble Sir H. T. Prinsep, the Hon'ble A. M. A. Chatterjee, the Hon'ble J. J. D. LaTouche, the Hon'ble F. A. Nicholson, the Hon'ble Rai Bahadur Pandit Suraj Kaul, the Hon'ble Gangadhar Rao Madhav Chitnavis and the Hon'ble Allan Arthur.

SETTLEMENT OPERATIONS IN THE CENTRAL PROVINCES.

The Hon'ble Gangadhar Rao Madhav Chitnavis asked the following question:—In view of the acute famine from which the Central Provinces are just emerging and the widespread exhaustion of resources which has taken place, will the Government be pleased to suspend the operation of the new revised *jamas* in the worst affected districts or tracts where the settlement operations have been recently completed or are in progress, both in the case of malguzars and tenants, until such time as the people recover from the severe blow they have received.

The Hon'ble Mr. Rivaz in reply said:—The Government of India do not consider it necessary to postpone the introduction of the revised assessments in tracts affected by famine in the Central Provinces where resettlement operations have recently been completed or are in progress. Liberal suspensions and remissions of revenue and rent have been granted on account of the famine, and the Government of India are of opinion that the revised assessments form a more equitable basis than an assessment based upon the conditions of thirty years ago can form for calculating the amount of revenue and rent which should be collected or suspended or remitted.

THE LEPER BILL.

The Hon'ble Mr. Rivaz presented the report of the Select Committee on the Bill to provide for the segregation of pauper lepers and the control of lepers following certain callings.

STAGE CARRIAGES BILL.

The Hon'ble Mr. Rivaz moved that the report of the Select Committee on the Bill to further amend the Stage Carriages Act, 1861, be taken into consideration. He said that he had nothing to add to what he had said a fortnight ago when presenting the report of the Select Committee. The object of the Bill was to cure some minor defects in the Act of 1861 and it did not alter the Act in any important points.

The motion was put and agreed to, and the Bill, as amended, was next passed.

LAW RELATING TO STAMPS.

The Hon'ble Sir James Westland moved that the Bill to consolidate and amend the law relating to stamps be referred to a Select Committee consisting of the Hon'ble Mr. Chalmers, the Hon'ble Babu Joy Gobind Law, the Hon'ble Mr. Nichols, the Hon'ble Mr. Allan Arthur and the mover.

The motion was put and agreed to.

THE CURRENCY BILL.

The Hon'ble Sir James Westland moved that the Bill to provide for the issue of currency notes in exchange for gold received in England be taken into consideration.

The motion was agreed to.

He also moved that in the title and preamble of the Bill for the words "in exchange for," the words "on the security of" be substituted. The amendment was not a substantial one. It arose out of a correspondence which passed since the introduction of the Bill between the Government of India and the Secretary of State.

The motion was put and agreed to.

The Hon'ble Sir James Westland also moved that the following be substituted for proviso (1) to section 13A of the Indian Paper Currency Act, 1882, proposed to be added by section 2 of the Bill:—

(1) the power conferred by this section shall not be exercised unless the Secretary of State for India shall consent to hold in gold, coin or gold bullion what he shall determine to be equivalent in value to the notes so issued; as a reserve, to secure the payment of such notes, until he shall transmit the same, or what he shall determine to be equivalent to the same, in gold coin or gold bullion to India, or until the Government of India shall appropriate and set apart in India, as a part of the currency reserve under section 19, an amount of coin of the Government of India equal in value to such notes.

The motion was put and agreed to.

The Hon'ble Member next moved that the Bill as amended be passed.

The Hon'ble Mr. Allan Arthur said:

"My Lord, in the remarks which I had the honour to make in this Council last week, I pointed out that, while the Bill, introduced by the Hon'ble Sir James Westland, would be received favourably by the banking and mercantile communities, the measure would in no way tend towards 'fixity of exchange.' I also mentioned that the effect of the present policy was to drive loanable capital out of the country. The Hon'ble Sir James Westland in reply stated that what induced the holders of sterling capital, to withdraw their capital under the system which existed prior to 1883, as well as under the present policy, was the feeling of insecurity which then existed and now exist in regard to the improbability of realising this capital in sterling form, at anything like the value at which it was sent to this country. The legislation of 1893 has, therefore, the same defect as the system which existed prior to 1893.

"It is not for me to advocate any one scheme or another. The mercantile community call for definite fixity of exchange or something approaching fixity. This can only be attained by the adoption of the convertibility of the rupee in some form or another at a fixed rate. All economists, without exception, admit that 'exchangeability' at a fixed rate can alone give fixity of exchange.

"My Lord, I hold in my hand a statement which shows the amount of money which would have been saved if the rupee had been maintained at Rs. 44 during the financial years of 1894-95, 1895-96 and 1896-97.

"This sum would have paid interest on a conversion fund of £88 million sterling, which is equal to 132 crores of rupees. Mr. F. C. Harrison, who is an authority on the subject, estimates the total rupees in circulation at 120 crores. While giving these figures, I have no intention of hazarding an opinion as to what sum is required to form an adequate conversion fund. I think it sufficient to point out that one of two things must be faced—

(a) either an automatic machinery which will fix exchange and may cost something, or

(b) a decline in exchange.

"Which of these courses I would ask would be the more costly? It is needless to ask which is the more beneficial. It is argued that it is impossible to estimate to what extent a conversion fund would be drawn upon and that therefore the amount required to form a conversion fund is indefinite. Equally indefinite is the loss which will be occasioned by a decline in exchange. The cause is precisely the same in both cases. The unfavourable balance of indebtedness that would lead to large demands on a conversion fund, would equally cause a decline in exchange. The figures which I have given, would seem to show that it would be better in the interests of the finances of India to fix on a sound conversion scheme than to continue the policy of waiting, with all its uncertainties its disastrous fluctuations in exchange and its periods of excessive monetary stringency."

The Hon'ble Pandit Bishambar Nath said:—"While expressing my consent to the motion, I should like to say a word touching it. When a Bill is proposed to be passed only within a short interval of, or a week after its introduction, without its even being referred to a Select Committee for consideration, the outside public generally view such an abrupt procedure with a certain degree of mistrust. It is simply to guard against any misconception of the kind, that I consider it proper to explain how the matter stands. The Bill is purely of a technical and special character. It is a short and simple enabling measure hardly requiring any consideration by a Select Committee. Its object, as explained by the Hon'ble Mover, is evidently to provide an effectual means of relief against the extreme stringency through which the Indian money market is at present passing. The measure is, moreover, of a temporary nature, and when passed into law, it is proposed to continue it in force only for the short period of six months, during which time, if the Secretary of State is required to draw on the Indian Treasury, beyond the limit to which its funds are available, he will, I understand, set apart the money received in England in the form of gold, and will take steps to transmit it to this country. It is obviously with the object of providing speedy relief for the banking and commercial communities that the Bill is to be passed without delay."

The Hon'ble Sir James Westland replied briefly to the remarks made by the last two honourable members. The motion that the Bill, as amended, be passed, was then put and agreed to, and the Council adjourned for a fortnight.

THE KAYESTHA CONFERENCE.

THIRD DAY'S PROCEEDINGS.

At 8 A.M., on the 27th December, the Literary Club, attached to the Conference, held its sitting. English speeches were delivered. A Kayestha Literary Debating Club was established at Gaya. Babu Kedar Nath was elected President, and Babu Anup Narain, Secretary. A sum of Rs. 100 was subscribed on the spot for its fund.

The Conference business was resumed at 11 A.M. The proceedings began by Anant Ram reciting vedic prayers. Suraj Kumar, the eight-year old grandson of M. Lachmi Prasad, spoke on Temperance.

Babu Lachmi Prasad of Gaya moved the first resolution on the list about strengthening the Sudder Sabha by the grant of jagirs as a permanent source of income. He proposed that one-fourth of the income ought to be applied to the expenses of the Sudder Sabha and the remaining three-fourths to the support of Kayestha widows and the education of Kayestha orphans. He said that subscriptions in cash were promised and realised only so long as the effect of meetings and speeches lasted, but as soon as the heat subsided, subscriptions were not realised, and the works suffered. He therefore urged upon the audience the advisability of granting jagirs and landed property, which would be a permanent source of income to the Conference. It was moved so nicely that offers of jagirs came pouring in from all sides without even waiting for the formality of getting the resolution seconded. The business of the Conference had to be stopped for registering the names of the donors and the description of the donations. About 200 bighas of land were promised on the spot, besides payments in cash by those who had no land to give.

Babu Hariharanath of Gaya moved the resolution about spending the money on the education of Kayestha boys in such a way that within a short time, the boys might become capable of earning their livelihood and proving of some service to the country in such subjects as good writing, Homoeopathy, Surveying, Signalling, etc., etc. Babu Sital Prasad of Gaya seconded the resolution by offering free board and tuition to Kayestha boys learning Homoeopathy. M. Raj Kumar Lal, Postmaster of Gaya, offered to teach Kayestha boys the art of signalling free, and M. Prem Narayan offered Rs. 25 per month for one year to pay for a teacher of Homoeopathy.

The next resolution was a very important one, and occupied much time. The resolution ran thus: "That the delegates and the visitors shall bear their own expenses of eating and drinking; the Reception Committee will simply arrange for their suitable accommodation and comfort." It was moved by Rai Dabi Prasad and seconded by Babu Kedar Nath. A very hot discussion followed—some strongly opposing it, and others proposing amendments and riders. At last a compromise was effected, and the resolution was passed in this form: "That delegates and visitors coming to attend the Conference from within the province in which the Conference is held shall bear their own expenses of food and drink, the Reception Committee making suitable arrangements for their comforts."

The Report of the Sudder Sabha Hind was confirmed. Certain other resolutions of minor importance were passed.

The next Conference was invited to Tirhoor, it will be held in 1898 in Mozafferpore.

The business of the Conference was concluded by Mutual exchange of thanksgivings at 8 P. M.

Specimens of Kayestha workmanship were inspected and certain presents were made to the Raja.

But though the Conference was over, the people of this place would not let the delegates go away so soon. Invitations to garden, tea and dinner parties came pouring in from all sides.

Law Intelligence.

CONVICTION OF A EUROPEAN SET ASIDE.

THE appeal preferred on behalf of William Heysham, who was convicted by the District Magistrate of Howrah of theft under section 379 of the I. P. Code, and sentenced to pay a fine of Rs. 100, came on for hearing on Friday at the High Court before Justice Hill and Stevens.

Mr. P. L. Roy, with Babu Dasarathi Sanyal appeared for the appellant, and Babu Atulya Churn Bose and Babu Nalini Nath Sen, in support of the prosecution.

The facts of the case are shortly these: One Fakir Chandra Sircar obtained an 'exparte' decree for Rs. 249 in the Munsiff's Court at Howrah against the appellant, and in execution of that decree, attached one of the brick kilns in Sankrail belonging to the latter. In the warrant of attachment, it was set out that two lacs of bricks by guess should be attached. On the 4th August last the bricks were sold by auction to the decree-holder for the decree, there being no other bidder. The appellant, whose case was that he was not aware of the decree or the execution proceedings before, shortly after when he came to know of the matter, filed an application to set aside the 'exparte' decree of the Munsiff on various grounds. On the 17th August when this application was pending, he removed 7,000 bricks from the kiln. It was said that the complainant's men having resisted, they were intimidated with a gun. Thereupon a charge was preferred against the appellant under section 379 for theft. The appellant, in his defence admitted that he had removed the bricks, but he denied that he had intimidated the complainant's men with a gun. His case was in the first place that the proceedings of the Munsiff's Court were a whole-and-corner business, that the wrong kiln was attached, and supposing, for argument's sake, that the right kiln was attached, there were 2,30,000 bricks in the kiln and the lac of bricks being sold there was sufficient margin left for him to take 7,000 bricks. At any rate, he removed the bricks in good faith and could not be convicted of any criminal offence. He was tried by Mr. Duke, the District Magistrate of Howrah, who convicted the appellant of theft and sentenced him, as stated above. The appellant, being a "European British subject," appealed to the High Court direct.

Their Lordships passed the following judgment: We think it is sufficient to say that in our opinion the case was not one for a Criminal Court at all. The matters in dispute that arise in this case, are clearly matters which should be decided by the Civil Court. We set aside the conviction and the sentence, and direct that the fine, if paid, be refunded.

A FACTORY-LAW CLERK'S CASE.

THE appeal preferred on behalf of Chaturbhuj Sabai, who was convicted by the Sessions Judge of Durbhanga for criminal breach of trust as a servant and sentenced to six months' rigorous imprisonment, came on for hearing. Babu Dasarathi Sanyal appeared for the appellant, and Mr. P. L. Roy, in support of the conviction. It appeared that the appellant who was a law-clerk of the Dalsing Serai Indigo Factory, was entrusted by the Factory with Rs. 45 to be paid to Babu Gynendra Nath Dutt, a pleader of the Mozafferpore Court, and the accused misappropriated Rs. 20 out of it. The Factory had some cases in Samastipur Munsiff's Court and Babu Gynendra Nath was brought from Mozafferpore to conduct one of the cases in March last. The appellant who used to look after the case, received Rs. 45 on the 7th March out of which he paid the Pleader Rs. 25 only. A sum of Rs. 20 was paid to the Pleader on the 3rd March from the funds in the hands of Harban Sahai, the Mookteer of the Factory, by the appellant. The Mookteer submitted his account to the Factory, but it being in Persian was translated by the appellant. In August last, some discrepancies in the account were found out and an enquiry was started with the result that the appellant was prosecuted and convicted and sentenced, as stated above.

Their Lordships, after hearing both sides dismissed the appeal.

THE Lahore Municipal Committee has appointed Chai Partap Singh, of the *Chail and Millay Gazette* Office, Octroi Tahsildar, though there were several candidates having experience in the Octroi business.

THE total number of persons finally assessed to income-tax in the Madras Presidency during the last official year was 81,413 and the demand under four parts of the Act, Rs. 23,96,288. The corresponding figures for the previous year were 79,150, and Rs. 22,93,009, respectively. The results of the years working show, therefore, an increase of nearly 3 per cent. in the number of assesses and of over 4½ per cent. in the amount assessed. Government concurs in the Revenue Board's remarks, regarding in scarcity of tax-paying general and piece-goods merchants and legal practitioners in the Presidency Town as compared with many mofussil districts. Having regard also to the large percentage of successful objectors the Government fears that there is much room for improvement in the administration of the Act in the Presidency Town.

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TELEGRAMS.

(INDIAN TELEGRAMS.)

(From our own Correspondents.)

BOMBAY, JAN. 21. None but those having permits from the Plague Committee will be allowed to visit shrines or bathe in sea near Malabar Hill and Chowpatty to-morrow at eclipse time.

Mr. Wacha characterises the statement in the *Patrika* regarding Mr. Gokhale's draft as incorrect and made through misapprehension.

Mr. Gallotti, a pupil of Dr. Lustig, was invited by the Corporation to come and try his curative serum.

MADRAS, JAN. 21. Under the auspices of the Madras Mahajana a public meeting was held this evening to protest against the proposed amendments of the Penal Code and Criminal Procedure Code by the Government of India.

The meeting was presided over by the Hon. Mr. Subbarao, and was attended by leading native gentlemen. The Hon. Mr. Jambulinga Moodellier moved the following resolution: "That this meeting views with apprehension the changes proposed in the existing law of sedition as they will deal an irreparable blow to the liberty of speech and the freedom of the press, and this meeting, therefore, earnestly prays that in the circumstances of this country the law of sedition be so amended as to bring within its provisions such writing and speeches only as instigate the people not to render lawful obedience to the authority of Government, or to resist the law by force, in accordance with the views of Sir Fitzjames Stephen and that all trials for sedition should be before a Court of Sessions on a High Court, and by a jury not less than half of which should be countrymen of the accused." It was seconded by Mr. Parameswaram Pillai, the Editor of the *Madras Standard*, supported by Mr. John Adam, barrister, and carried unanimously. A memorial embodying the views of the meeting was adopted for submission to the Government of India.

(REUTER'S TELEGRAMS.)

PEKIN, JAN. 17. Sir Claude Macdonald, British Minister, has informed the Tsungli Yamen that England is willing to provide a loan for China, conventional upon opening the three treaty ports, which include Tientsin and Nanning, all the non-alienation of the Yangtszekiang Valley and other powers besides the right to extend the Burma Railway through Yunnan. China approves of these conditions, but Russian and French Ministers here are opposed to them.

LONDON, JAN. 19. Reuter wires from Pekin under date 18th instant that the loan is still unsettled, and that the difficulty exists regarding Tientsin, the opening whereof Russia opposes. Britain asks for railways in Penan and Szechuen, and Russia wants to keep the whole of Manchuria to herself.

LONDON, JAN. 19. Mr. Chamberlain, speaking at Liverpool, said that Parliament would be asked for a very large grant to aid the West Indies. He hoped that the Brussels Conference would convince the Continent of the impolicy of the system of bounties. Great Britain's duty, he said, was to keep what she possesses, and to peg out claims for the benefit of posterity and to prevent them from being rushed. Our present policy, he added, was not territorial acquisition, but the maintenance of free markets even where involving the acquisition of new territory. Great Britain, he said in conclusion, must draw closer to her colonies, and seek from them the support she would never find from foreigners.

Grave reports are current in London regarding Mr. Gladstone's health. He is at present at Cannes with his family, who say that his general health is satisfactory, but that he is suffering from a wearing attack of neuritis.

The Sultan has informed M. Zinovieff that the appointment of Prince George of Greece as Governor of Crete would not be conducive to the interests of the Ottoman Empire.

The employers have informed the engineers that the workshops will be re-opened on the 24th instant, provided that the men adhere to the conditions regarding the management of the workshops.

Sirdar Kitchener has requested that no more British troops shall be sent to the front at present.

LONDON, JAN. 21. Lord Lansdowne, receiving a deputation of leading Surgeons and Physicians of Great Britain regarding the Army Medical Service, admitted that the present situation pointed to a grave condition of things and said he saw no objection to the formation of a Medical Corps, but the question of ranks presented difficulties which were at present cumbersome. His lordship, thought, more suitable designations could be discovered, and he hoped shortly to announce the decision of the War Office regarding the question.

Mr. Chamberlain, speaking at a luncheon in Liverpool, urged that we must leave questions of frontier strategy not to politicians here, but to military experts in India.

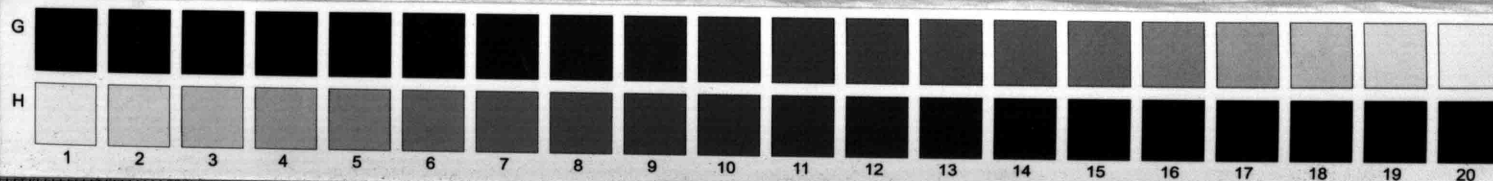
THE alleged murderer of the last Pundi Lekh Ram, who was arrested at Sringeri, has been let off for want of evidence.

It has been decided that the force directed to enforce the submission of the Bunerwals and Chamalwals, may be directed against the Gaduns, in the event of their failing to comply with the terms imposed upon them.

MR. ADAMJEE PEERHOY, the new Sheriff of Bombay, has made a donation of Rs. 5,000 for the establishment of scholarships in connection with the Anjuman-i-Islam.

THE Government has decided to reward the services of the Khans of Jhar and Khar and other petty chiefs, who refrained from aiding the Mohmands in opposition to General Bullard.

HIS HIGHNESS the Maharaja of Charkhari arrived in Allahabad on Tuesday on a short visit, and was received at the railway station by the Magistrate and a guard of honour from the 3rd Bengal Infantry. The Maharaja will bathe in the Ganges on the day of the solar eclipse, and return to Bundelkhand on Sunday.



SECTION 124A, I. P. C.

The section, as will appear from its numbering, originally formed no part of the Indian Penal Code—Act XLV of 1860 which has been in force since the first day of January, 1862. It was added to that Code by Act XXVII of 1870, which received the assent of the Governor-General on the 25th November, 1870, and became law the next day, when it is published in the *Gazette of India*. The Bill, which became Act XXVII of 1870, was proposed at Simla by the then Law Member, the Hon'ble J. Fitzjames Stephen. The day was Tuesday and the date the 2nd August, 1870. The members present were the Viceroy (Lord Mayo), the Hon'ble John Strachey, the Hon'ble Sir Richard Temple, the Hon'ble J. Fitzjames Stephen, the Hon'ble B. H. Ellis, Major-General the Hon'ble H. W. Norman and the Hon'ble F. R. Cockerell. While moving for leave to introduce the Bill (to amend the Indian Penal Code) the Law Member, referring to the present subject, said:

"The next section was one which, by some unaccountable mistake, had been omitted from the Penal Code, as ultimately passed. It stood as section 113 in the draft Code, published in 1837; and Sir Barnes Peacock was quite unable to account for its omission when the Code was enacted. It punished attempts to excite feelings of disaffection to the Government, but it distinguished between disaffection and disapprobation, and explained that such a disapprobation of the measures of the Government as was compatible with a disposition to render obedience to the lawful authority of the Government, and to support the lawful authority of the Government against unlawful attempts to subvert or resist that authority, was not disaffection, so that the making of comments on the measures of the Government with the intention of exciting only this species of disapprobation was not an offence within this section."

Nothing could be further from the wish of the Government of India than to check in the least degree any criticism of their measures, however severe and hostile, nay, however, disingenuous, unfair, and ill-informed it might be. So long as a writer or speaker neither directly nor indirectly suggested or intended to produce the use of force he did not fall within this section. This, however, must be coupled with a warning. The question on trials under this section would always be as to the true intention of a speaker or writer, and this intention would have to be inferred from the circumstances of the case. The most bitter and unfair criticisms, published by a newspaper in the common course of its business, might be perfectly compatible with the absence of any intention to advise resistance to lawful authority. Language, temperate in itself and justifiable as far as the express meaning of its terms went might, if addressed to an excited mob, but the clearest proof of an intent to produce forcible resistance to authority. Whilst genuine criticism had nothing to fear from the proposed section, persons seditiously disposed must not suppose that they could evade its provisions by confining themselves to what under other circumstances and in other persons, might be genuine criticism."

No other member spoke and the motion was agreed to. On the 16th August the Hon'ble Mr. Stephen introduced the Bill to amend the Indian Penal Code and moved that it be referred to a Select Committee with instructions to report in a month. He reserved his further observations till after the Select Committee's report. Two more members, namely, the Commander-in-Chief and the Maharaja of Jaipur were present on that day. The motion was put and agreed to, without any other member uttering a word.

The form given to the section in the Bill was: "124A. Whoever attempts to excite feelings of disaffection to the Government established by law in British India, shall be punished with transportation for life or for any term, to which fine may be added, or with imprisonment for a term which may extend to three years, to which fine may be added, or with fine."

Explanation.—Such a disapprobation of the measures of the Government, as is compatible with a disposition to render obedience to the lawful authority of the Government, and to support the lawful authority of the Government against unlawful attempts to subvert or resist that authority, is not disaffection. Therefore the making of comments on the measures of the Government, with the intention of exciting only this species of disapprobation, is not an offence within this clause."

The Statement of Objects and Reasons explained:

"Sections 121 to 130 of the Code deal with offences against the State. But no mention is made of seditious speaking or writing. In the draft Code, originally prepared by the Indian Law Commissioners, and published in 1837, appears a section, resembling section 6 of the present Bill, and its omission from the Code as ultimately enacted, was due to a mere oversight. Attempts to excite disaffection to the Government by words or writing are now punishable only when they can be proved to amount to abettments of the offence of waging war against the Queen; and as this proof implies the actual existence of war, and must often be a matter of extreme difficulty, it seems desirable that some such provision should become part of the law of British India."

On the 30th August, 1870, the Hon'ble Mr. Stephen simply presented the Report of the Select Committee.

At the next meeting of the Council on the 6th September, he obtained leave to postpone his motions regarding the Bill.

On the 3rd October, the Hon'ble Mr. Stephen moved that the Bill to amend the Penal Code be re-committed. He said that he had not in any degree changed the views he had expressed upon the main provisions of the

Bill, in consequence of the criticisms which had been made upon them by the European and Native Press; but as the subject was an important one, and as certain amendments of detail appeared to be desirable he made the present motion. He desired to bring the matter forward at the earliest possible opportunity after the return of the Government to Calcutta, and on that occasion to state in the fullest and most public manner, the reasons which led to the introduction of the Bill, and the objects which it was meant to effect.

When the Council met at Calcutta on Friday the 18th November 1870 the Law Member presented the final report of the Select Committee, saying the Bill had been much discussed and that he hoped to explain at a very early opportunity the policy of the Government in respect to it.

Accordingly next week, on the 25th November, he moved that the final report of the Select Committee be taken into consideration. Passing to the explanation of the fifth section, which related to the exciting of disaffection, he said:

"He thought that section had been very severely criticized, or rather it had been severely blamed; for, of really intelligent criticism there had been far less than he should have been glad to see. He proposed to state generally the purpose of the section, and how it effected that purpose. The object of the section was this. In connection with the preceding section it embodied, and he hoped, improved and condensed, the existing English law on the subject to which it related. It might be said of the Indian Penal Code in general, that it was the English Criminal Law freed from the defects, which from a variety of causes had affected it. By some means or other the Penal Code, as it stood, had entirely omitted that branch of the English Criminal Law, which consisted of the Treason Felony Act and the law relating to seditious words and libels. It contained no section by which you could punish conspiracies to wage war against the Queen or deprive her of the sovereignty of British India, unless the conspiracy proceeded so far as to be followed by open acts or actual preparations for rebellion. But besides this, the Code contained no provision whatever with respect to exciting disaffection by speaking or writing, and that he said, although the contrary had been asserted, was a great defect, and one which ought not to be permitted to exist in any rational system of criminal law whatever. The only means by which offences of that kind could be punished under the Penal Code, was by taking them as cases of abettment. It might be said that, if the speaking or writing went the length of advising persons to wage war against the Queen, it was abettment; and those who instigated the commission of the crime, were abettors. In some cases it might be so; but in the vast majority of cases he had no doubt it would be otherwise: for, the crime of rebellion, speaking broadly, was not a crime committed, like theft, murder or house-breaking, by one single act, done at one single moment and proceeding from some one motive. It was on the contrary the result of a great variety of feelings, excited in various ways, and therefore if rebellion itself was to be regarded as a crime (and it was needless to argue with those who thought it was not) it was necessary to punish acts which led or were intended to lead to it, even if they did not fall within those narrow limits within which abettment was comprised in common cases. It was necessary to have a wider definition of abettment in the case of rebellion than in the case, say, of murder or theft, because the causes, which produced rebellion, were wide, and the acts were numerous and were spread over a large space of time. It was on these grounds that he said there was a serious defect in the absence from the Penal Code of all provision for the punishment of offences of this kind."

In the course of his observations, he read an amendment by Sir Barnes Peacock, which the Select Committee did not consider an improvement on the original draft of the Law Commissioners. It was in these words:—

"Whoever attempts to excite or to induce, or does anything which he knows to be likely to excite or to induce, the people or any class or portion of the people, who live under the Government of India, to entertain such feelings of disaffection to that Government or to any Government in India, as are likely to induce or cause them to resist or disobey the lawful authority of the Government of India or of such other Government, or to abet such resistance or disobedience, or by reason of such disaffection, to break the peace or to violate the law, or to abet any such breach of the peace or violation of the law, shall be punished, etc."

He then continued:

"The section now before the Council did not make it criminal to do things which people knew to be likely to excite disaffection. To punish the doing of an act which you knew to be likely to produce disaffection, might be to punish a man for doing an act which he had a right to do, although it produced disaffection. He could imagine many things which a public man might have a right to do, even at the expense of exciting disaffection, but which, nevertheless, should not be punishable. Then, the section proceeded to describe the kinds of disaffection which it would be a crime to excite. These were such feelings of disaffection as were likely to induce any portion of the people, not only to resist, but to disobey the authority of the Government of India. That was carrying things a very long way, because the mere omission to do what you were told to do, was disobedience. The mere non-pay-

ment of a tax was disobedience; and to punish a man for doing what was likely to induce people to disobey an unpopular law of any kind, was far beyond what in his (Mr. Stephen's) judgment was desirable. In short the Committee came to the conclusion that this clause was considerably more severe than the clause originally drawn by the Commissioners. That clause was greatly discussed at the time, and adhered to after careful discussion; and although he (Mr. Stephen) was not prepared to say that it was the best that could have been adopted, the Committee unanimously came to the conclusion that the best course was to leave it as the Commissioners had settled it. The clause was somewhat lengthy, but its substance was sound good sense. It provided that anybody who attempted to excite disaffection might be punished; but it insisted on the distinction between disaffection and disapprobation. It expressly provided that people might express or excite disapprobation of any measure of the Government, that was compatible with a disposition to render obedience to the lawful authority of the Government; in other words, you might say what you liked about any Government measure or public man; you might publish or speak whatever you pleased, so long as what you said or wrote was consistent with a disposition to render obedience to the lawful authority of Government. Let it be shown that the matter complained of, was not consistent with a disposition to obey the law; let it be shown that it was consistent only with a disposition to resist the law by force, and it did fall under this section. Otherwise not."

He now proceeded to assert that this law was substantially the same as the law of England at the present day, though it was much compressed, much more distinctly expressed, and freed from a great amount of obscurity and vagueness with which the law of England was hampered.

The proposed section says, if you excite feelings of disaffection, either by speaking or writing, you shall be liable to punishment; and the law of England says, in substance that if you yourself feel disloyal towards the Queen and show that feeling by any writing, you shall be liable to punishment. The proposed section did not relate to a man's feelings or wishes, but simply to his writings or words, and the feelings which they were intended to produce in others. But the great peculiarity of the English law of treason was to regard every thought of the heart as a crime, which was to be punished as soon as it was manifested by any overt act. That was the English law, as it stood according to the Treason-Felony Act."

In answering the objection taken to the severity of the punishment, he said that, "in criticising any provision of law, especially of the criminal law, credit ought always to be given to those who were to administer it for some degree of common sense and moderation." Then, quoting the definition of the Penal Code, originating with Lord Macaulay, he proceeded:

"He (Mr. Stephen) would ask His Lordship, or any one of his colleagues, whether he could say that he had ever been to a dinner table at Calcutta, or anywhere else, where that law was not broken; where something was not said by some body, which conveyed an imputation concerning somebody else, likely to lower his moral or intellectual character. Why, he saw before him those who were great masters of their pencil, and who had a power of representing persons in a manner which certainly would, by a visible representation or design, lower their moral or intellectual character; and by the Indian Penal Code any person who did this, was liable to simple imprisonment for a term, which might extend to two years, or to a fine, or to both. In no society in which he had ever been, or which he had ever heard of, would any person escape punishment, if this law were carried out to its full extent, unless, indeed, he were the dullest of mankind. But severe as the law was, it was reasonably administered, and he did not think that either private conversation or public writing on general subjects was, in point of fact, under greater restrictions in India than elsewhere. He mentioned this in connection with the section now under the consideration of the Council, as showing that, in all cases, you must credit the persons who would administer the law with some degree of common sense."

To meet the apprehension about malicious prosecutions he explained:

"This, however, was completely answered by the provision, that no prosecution should be commenced under this section except under the authority of the Government. That showed that this was a weapon to be used in no case except where the peace of the country was, in the opinion of those who were put at the head of the Government, seriously endangered, and that was a very effectual check to prevent the law being used in an oppressive manner."

"Another objection was that the law punished intention, and we were told that the effect of it would be that people, whose intentions were innocent, might be convicted. That merely amounted to saying that mistakes might be made; but that as the case with all laws in the Penal Code, wherever you might refer to it, you would find that the intention made the crime. It was strange that that argument should be used, when it was considered that the Act, which declared that the intention of the publisher of an alleged libel should be determined like other questions of fact, had always been regarded as one of the greatest triumphs of the popular cause in England."

"Finally, he wished to observe that, if any one thought that there was absolutely no occasion for any law of this kind, he ought to look back to incidents which happened not many weeks ago. A man was convicted and sentenced to transportation for life, substantially for com-

mitting the very offence at which this section was directed; it was preaching a *jehad* or holy war against Christians in India. He (Mr. Stephen) had carefully read the evidence, and supposing it to be true, it proved that this person was in the habit, for weeks and months and years, of going from village to village, and preaching, in every place he came to, that it was a sacred religious duty to make war against the Government of India. Is that to be permitted, or is it not? If any one really meant to say that it was no crime to go into villages and tell the people that a rebellion against the Government was a sacred duty, he could not argue with such a person. But if such conduct was admitted to be a crime, he would ask any person, who objected to the proposed section, to frame a better one. Besides the man to whom he had referred, there were eight other men under commitment at Patna, who were charged with very similar offences."

The motion was put and agreed to. On a second motion, the Bill was passed. The members of Council present on that day were the Viceroy, the Hon'ble John Strachey, the Hon'ble Sir Richard Temple, the Hon'ble J. Fitzjames Stephen, the Hon'ble B. H. Ellis, Major-General the Hon'ble H. W. Norman, the Hon'ble D. Cowie, the Hon'ble Francis Stuart Chapman, the Hon'ble J. R. Bullen Smith, and the Hon'ble F. R. Cockerell. No amendment was moved, and none of the honourable members, except the member in charge of the Bill, had any remarks to make—*Reis and Rayet*, Aug. 7.

AN ARTIFICIAL PARADISE.

MR. HAVELOCK ELLIS has an article in the *Contemporary Review*, entitled "Mescal: A New Artificial Paradise." Mr. Ellis describes the effects of the drug mescal, made from the cactus *Anhalonium Lewinii*, which he says has every claim to rank with hashish and other famous drugs which have procured men the joys of an artificial paradise. The drug has a tremendous fascination for the Kiowa Indians, and indeed the mescal rite may be said to be the chief religion of all the tribes of the southern plains of the United States. Mr. Ellis's experiments on himself and other civilised men are curiously interesting. On Good Friday he made a decoction of three mescal buttons, which he drank between 2-30 and 4-30 p. m. He says:—

The first symptom observed during the afternoon was a certain consciousness of energy and intellectual power. This passed off, and about an hour after the final dose I felt faint and unsteady; the pulse was low, and I found it pleasant to lie down. I was still able to read and I noticed that a pale violet shadow floated over the page around the point at which my eyes were fixed. I had already noticed that objects not in the direct line of vision, such as my hands holding the book, showed a tendency to look obtrusive, heightened in colour, almost monstrous, white, on closing my eyes, after-images were vivid and prolonged. The appearance of visions with closed eyes was very gradual. At first there was merely a vague play of the light and shade, which suggested pictures, but never made them. Then the pictures became definite, but too confused and crowded to be described beyond saying that they were of the same character as the images of the kaleidoscope symmetrical groupings of spoked objects. Then in the course of the evening, they became distinct, but still indescribable—mostly a vast field of golden jewels, studded with red and green stones ever changing. This moment was perhaps the most delightful of the experience, for, at the same time the air around me seemed to be flushed with vague perfume—producing the visions a delicious effect—and all discomfort had vanished, except a slight faintness and tremor of the hands, which later on made it almost impossible to guide a pen as I made notes of the experiment; it was, however, with an effort, always possible to write with a pencil. The visions never resembled familiar objects; they were extremely definite, but yet always novel; they were constantly approaching, and yet constantly eluding the semblance of known things. I would see thick glorious fields of jewels, solitary or clustered, sometimes brilliant and sparkling, sometimes with a dull, rich glow. Then they would spring up into flower-like shapes beneath my gaze, and then seem to turn into gorgeous butterfly forms or endless folds of glistening, iridescent, fibrous wings of wonderful insects; while sometimes I seemed to be gazing into a vast hollow revolving vessel, on whose polished concave mother-of-pearl surface the hues were swiftly changing. I was surprised, not only by the enormous profusion of the imagery presented to my gaze, but still more by its variety. Perpetually some totally new kind of effect would appear in the field of vision; sometimes there was swift movement, sometimes dull somber richness of colour, sometimes glitter and sparkle, once a startling rain of gold which seemed to approach me. Most usually there was a combination of rich sober colour with jewel-like points of brilliant hue. Every colour and tone conceivable to me appeared some time or another. I was further impressed not only by the brilliance, delicacy and variety of the colours, but even more by their lovely and various texture—fibrous, woven, polished, glowing, dull, veined, semi-transparent, the glowing effects, as of jewels, and the fibrous, as of insects wings, being perhaps, the most prevalent. Although the effects were novel, it frequently happened, as I have already mentioned, that they vaguely recalled known objects. Thus, once the objects presented to me seemed to be made of exquisite porcelain, again they were like elaborate sweet-meats, again of a somewhat Maori style of architecture, and the background of the pictures frequently recalled both in form and tone, the delicate architectural effects, as of lace carved in wood which we associate with the *mouchrabieh* work of Cairo. But always the visions grew and changed without any reference to the characteristics of those real objects of which they vaguely reminded me, and when I tried to influence their course it was with very little success. On the whole, I should say that the images were most usually what might be called living arabesques. There was often a certain incomplete tendency to symmetry as though the underlying mechanism was associated with a large number of polished facts.

The visions continued with undiminished brilliance for many hours and as I felt somewhat faint and muscularly weak I went to bed as I undressed being greatly impressed by the red, scaly, bronzed and pigmented appearance of my limbs, whenever I was not directly gazing at

them. I had not the faintest desire for sleep; there was a general hyperaesthesia of all the senses as well as muscular irritability, and every slightest sound seemed magnified to startling dimensions. I may also have been kept awake by a vague alarm at the novelty of my condition, and the possibility of further developments.

After watching the visions in the dark for some hours I became a little tired of them and turned on the gas. Then I found that I was able to study a new series of visual phenomena to which previous observers had made no reference. The gas jet (an ordinary flickering burner) seemed to burn with great brilliance, sending out waves of light, which expanded and contracted in an enormously exaggerated manner. I was even more impressed by the shadows which were in all directions heightened by flushes of red, green and especially violet. The whole room, with its white-washed but not very white ceiling, thus became vivid and beautiful. The difference between the room as I saw it then and the appearance it usually presents to me was the difference one may often observe between the picture of a room and the actual room. The shadows I saw were the shadows which the artist puts in, but which are not visible in the actual scene under normal conditions of casual inspection.

About 3-30 a. m. I felt that the phenomena were distinctly diminishing—though the visions now chiefly of human figures fantastic and Chinese in character still continued—and I was able to settle myself to sleep which proved peaceful and dreamless. I awoke at the usual hour and experienced no sense of fatigue, nor other unpleasant reminiscence of the experience I had undergone. Only my eyes seemed unusually sensitive to colour especially to blue and violet; I can indeed say that ever since this experience I have been more aesthetically sensitive than I was before to the more delicate phenomena of light and shade and colour.

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GAZETTE NOTIFICATIONS.

Babu Srinath Sen, Offg. Dy Magte and Dy Collr, is posted temporarily to the head quarters station of the district of Howrah.

The following promotions, confirmations and appointments are made in the executive Branch of the Provincial Civil Service:

Promoted substantively pro tempore to the first grade:

Maulvi Abdul Samad vice Mr. Sakhawati Hossein on deputation; Babu Nanda Lal Bagchi vice Barhamdeo Narain on deputation. Babu Mon Mohon Roy vice Babu Sures Ch. Chatterji on deputation.

Promoted substantively pro tempore to the sixth grade:

Babu Suresh Chander Sinha vice Babu Nanda Lal Bagchi; Babu Srigopal Bhattacharjee vice Babu Surja Kumar Dass on deputation, but to continue on deputation. Babu Fakir Chunder Chatterjee vice Babu Srigopal Bhattacharjee, on deputation, but to continue on deputation. Babu Bhabatara Chatterjee, vice Babu Fakir Chatterjee, on deputation vice Babu Mon Mohan Roy.

Confirmed in the seventh grade:

Maulvi Abdul Kadir, vice Babu Pran Kumar Ghose, deceased.

Appointed substantively pro tempore to the seventh grade:

Babu Fakir Chunder Dass, vice Maulvi Abdul Kadir; Maulvi Waichuddin Ahmed vice Babu Suresh Chander Sinha, but to continue on deputation. Maulvi Afsaruddin Mahomed vice Babu Hen Chunder Chatterjee on deputation. Mr. James Taylor vice Babu Kali Comar Roy Chowdhury, on deputation, but to continue on deputation. Babu Annada Charan Gupta vice Mr. James Taylor on deputation, but to continue on deputation. Babu Sarat Chandra Dass, vice Babu Annada Charan Gupta, on deputation, but to continue on deputation. Babu Akshay Kumar Chaudhuri vice Babu Sarat Chandra Dass on deputation, but to continue on deputation. Babu Atul Chunder Kerr vice Babu Akshay Kumar Chaudhuri, on deputation, but to continue on deputation. Babu Chander Kumar vice Babu Atul Chunder Kerr on deputation. Babu Jodu Nath Chatterjee vice Babu Chander Kumar on deputation. Babu Purna Chunder Nag vice Babu Bhabatara Chatterjee, but to continue on deputation. Babu Debendra Prosad Ray vice Babu Purna Chunder Nag on deputation, but to continue on deputation. Babu Narayan Chunder Naik vice Babu Debendra Prosad Ray on deputation.

Babu Jugdam Sahay, Sub-Dy Collr, Deoghur, Sonthal, Parganas, is appointed to act until further orders as Dy Magte and Dy Collr.

Babu Grish Chunder Dutt, Offg. Dy Magte and Dy Collr, is posted to the head quarters station of the district of Midnapore.

Mr. J. Weston, Offg. Jt. Magte and Dy Collr, is posted to the head quarters station of the district of Dacca. This cancels the order of the 14th December 1897, transferring Mr. H. F. E. B. Foster, Offg. Jt. Magte and Dy Collr, Meherpur, Nadia, to the head quarters station of the district of Dacca.

Babu Mokunda Deb Mukherjee, Dy Magte and Dy Collr, Burdwan, is allowed leave for six weeks.

Moulvi Mahomed Abdul Kadir, Dy Magte and Dy Collr, 24 Parganas, is transferred to the head quarters station of the district of Burdwan.

Mr. Satis Chandra Mukerjee, sub proteum Jt. Magte and Dy Collr, Rajshahi, is appointed to act, until further orders, in the first grade of Jt. Magtes and Dy Collrs, on being relieved of his appointment as Offg. Magte and Collr, Dinapur.

Sahabzada Muhammad Amiruddin, Rural Sub-Registrar of Pandua, is appointed to be Special Sub-Registrar of Pabna.

In supersession of the order of the 3rd January, 1898, Babu Kedar Nath Chatterjee, Offg. Addl. Munsif of Phatikchhari and Hathazi, on deputation, as an Offg. Addl. Munsif at Comilla in the district of Tipperah, is appointed to be a Munsif of Manikganj, but to act temporarily as an Addl. Munsif in the district of Tipperah for sixty-one days with effect from the 21st December 1897.

Babu Behari Lal Chatterjee, B. L., is appointed to act as a Munsif of Munshiganj, but to be on deputation to the Sadar station during the absence on leave of Babu Har Mohan Bose or until further orders.

Babu Norendra Nath Ghose, B. L., is appointed to act as a Munsif of Munshiganj, during the absence on leave of Babu Agor Chandra Hazra or until further orders.

Babu Har Mohan Bose, Munsif of Munshiganj, but on deputation at the Sadar station, is allowed leave for two months.

Babu Romesh Chandra Bose, Munsif of Manikganj, is allowed leave for twenty-one days.

Babu Apurva Chandra Ghose, Munsif of Pabna, is allowed leave for three months and fifteen days.

Babu Agor Chandra Hazra, Munsif of Munshiganj, is allowed leave for fifty-five days.

LORD RIPON AND THE INDIAN FRONTIER.

(Globe.)

The Marquis of Ripon presided last night at a meeting held in Ripon to celebrate Mr. Gladstone's birthday.

It was good, Lord Ripon said, for them year after year to assemble and express their deep feeling of admiration and affection for the statesman who was for so many years the honoured and trusted leader of the Liberal party.

The question of Home Rule—the last, greatest, and perhaps most difficult effort of Mr. Gladstone's public life—held now the same position in the policy of the Liberal party as it did when the veteran statesman was in office.

Lord Ripon proceeded to criticise the policy of the present Government in regard to India, and, reviewing the course of events since 1880, said that some people had expressed surprise at friends of Mr. Gladstone being inclined to condemn that policy.

As a matter of fact, Mr. Gladstone was returned to power in 1880, to reverse and put aside a mischievous policy which had been previously pursued.

There was a great deal more to be said then for our hold on Candahar than there was to-day upon Chitral.

When he (Lord Ripon) was sent out as Viceroy, he thoroughly convinced himself as to the right course to be adopted, and then took steps to withdraw from Candahar and abandon that forward and mischievous policy which was so much a failure, so condemned by the country, and so detrimental in the interests of India.

The present conflict was the greatest trial in the history of that country. A lot of valuable lives had been lost, a vast expenditure was going on; winter had stopped operations, and they had to retire with the prospect of beginning the war again next spring. It seemed ridiculous to fear attack through the vicinity of these operations.

His remedy was to make friends with the tribes, guarantee

them their independence which they loved so dearly, subsidise them and tell them that if they were attacked, we would help them. This would be the policy of Mr. Gladstone. India could not stand the vast expense of the war, and he supposed the English Government would come to their aid, which meant ultimately the British tax-payer. Lord Ripon alluded to the existing industrial war, and expressed his conviction that the true remedy for such quarrels was conciliation. He had always been fond of the trade unions, and believed they had done good work and had contributed largely to raising the standard of living among the working classes. The unions carried with them great power, and also great responsibility. He trusted that some just and reasonable terms would be arrived at.

HUMILIATION BEYOND THE FRONTIER

(Star.)

Now that the combined uselessness and costliness (both in blood and treasure) of the war beyond the North-West frontier are manifest to everybody, the purblind champions of the "forward" school are beginning to say what some of us said at the outset. A Reuter's telegram to-day brings the news that "the casualties on" it means "beyond" the frontier are 433 killed and 1,321 wounded—including 36 British officers killed and 81 wounded. The same telegram gives passages from a significant leading article in the semi-official Allahabad Pioneer, saying that the operations beyond the frontier have ruined more than one reputation; that the generals and others officers have disappointed expectations; that the occasions of serious blundering have been numerous; and that, if the private letters of the officers were to be published, the story of the war would be very different from that written in the dispatches. The comments of the Tory Press on all this are instructive. The Times says:

"Our losses would have been regrettable, even if all the objects with which we have undertaken the present campaign, had been fully accomplished. We must admit, however, that this has not been the case."

It is unfortunately obvious that many of the blunders have not been mastered yet.

With equal frankness, the "Standard" writes:

"The war has already lasted longer than was anticipated by those who drew up the plan of operations. In spite of the efforts that have been made, the Afghids so far have shown no signs of an inclination to accept our terms."

There are certain incidents which will require to be strictly investigated. The fact is that there has been, throughout a most unfortunate tendency to underestimate the magnitude of the frontier danger."

This last sentence is rather good. It is quite true of the "Standard" and its friends. But of course it is absurdly untrue of those of us who from the first have resisted the follies, the perils, and the inevitable humiliations of the "forward" policy. That is why we decline to join in the present rather cruel censure of the men who have had to stand the racket. "Quid pro quo" delirant rages, plectuntur Achivi. It is not the least deplorable of the many deplorable ingredients of the "forward" policy that, by setting brave men to an impossible combat with Nature, it draws down upon them bitter and unmerited humiliation. Our soldiers are all right. It is the policy that is all wrong.

BUNGLING IN INDIA

(Eastern Daily Press.)

Indian papers are beginning to speak out, and not before it was time. They have been very quiet hitherto, and disposed to approve of everything the Government did and tried to do. They were warm for the most part in supporting the Press prosecutions, and they even welcomed a revision of the Press laws, as projected by the Indian Government. The proposals made a few days ago, have now been withdrawn, either on remonstrances from home or from the apprehension that evil results would follow. The whole matter has been handled in a blundering way. The Press prosecutions already attempted, were successful and severe enough in all conscience. What need was there for revision? But, if revision were urgent, why was the new Bill, brought in with so much urgency, immediately abandoned? Surely there has been some blundering in high places. The conduct of the campaign is beginning to be freely criticised in the more independent Indian papers, and some truths are being told that will alter our estimate of the whole affair. Some of the journals at home, specially the military journals, have refrained from making strong comments on obvious blunders, lest there should be a suspicion of party or personal motives. There has been a tendency to implicitly accept the telegrams which have survived a careful editing in camp as telling us all there was to know. But now longer letters from newspaper correspondents and private letters from officers, are coming through which we can see the imperfections which have attended the operations, and that our losses have not all been due to the superior tactics of the Afghids. In nearly all the actions where the rearguards have had to fight desperately and have suffered heavily, there was some clumsy mistake on the part of responsible officers. More work has been imposed on some regiments, whilst others have had hardly anything to do. We are told that the operations have "ruined more than one reputation." It is not surprising, because in the operations in the Swat Valley our troops were often ambushed or surprised for want of care on the part of the officers in command. There have been some similar mistakes in the Tirah. The Pioneer boldly says that the time has come when General Sir William Lockhart can reduce his staff with advantage, and is "bound to weed out those who have signally failed to prove their fitness to command or to discharge staff duties." They were selected as specially fit for the kind of warfare which has been going on, and if they are unfit, what must be the condition of some of the officers left behind? The brigades were given to young men of the go-ahead type, and they were promoted over the heads of their superiors in age and experience. The result has not been satisfactory. It seldom is. The lack of judgment in situations of danger has doubled our losses. The Dargai action may be mentioned as a case in point. It was captured, but not held, and it had to be re-taken with considerable loss. Who was responsible for the blunder? There were other mistakes, not so fatal perhaps, but still serious. The conditions under which the fighting occurred were, no doubt, intensely difficult. Due allowance must be made for this in judging of the campaign as a whole. But it does not excuse obvious blunders that against disciplined troops, well armed and led, would have imperilled the whole expedition. Incompetent staff officers had better be sent back before any further mishaps occur.

MR. H. A. STUART, formerly Private Secretary to H. E. the Governor of Madras, has been appointed to act when Mr. Hammick, the Inspector-General of Police, goes home on leave.

THE undermentioned gentlemen have been appointed to the Civil Service of India and to the Presidency of Bombay in the following order:—Messrs. Ardeshir Kalkhoru Cama, William T. W. Baker, Alfred E. D. Emanuel, George Harold Cross, Charles S. F. Crofton, Walter H. J. Wilkinson, and Clement A. Beys.

THE HEALTH OF THE ARMY.

THE MISSIONARY VIEW.

THE following letters from British missionaries in India to ministers of the Gospel in the United Kingdom, is published in the Sentinel, a Nonconformist religious paper published in England.—Dear brethren:—As ambassadors for Christ in this heathen land, having duties to Him, to you of the home churches, and to the people among whom we live and labour, we must solemnly raise our voice in protest and appeal against the sanction by British law in India, in any form, of the breach of the Seventh Commandment. The system of regulated or legalised impurity, under whatever name, necessarily involves three evils:—(1) The further demoralisation of the soldiers whom it is designed to protect beforehand from the consequences of sin; demoralisation, through the temptation incident to supposed or attempted immunity in evil-doing, and the assumption that this sin is a necessity. (2) The deeper degradation of the Indian women (many are young girls, than women), the victims of the lust thus sanctioned by authority. (3) The corruption of large numbers of natives who are cognisant of what takes place under the sanction of so-called Christian rule, and their consequent hardening to attempts to reach them with the message of the Gospel.

As we represent you in India, we desire that you will represent us in the home land, in opposing the great iniquity, concerning which we write. While we would not presume to dictate a particular course of action, we cannot doubt that in answer to prayer, and under the Divine guidance, means can be found to move the British Parliament and Government, that India may be saved from a calamity, so dishonouring to God and so destructive to our fellow-creatures.

Perhaps some of the facts of the accompanying pamphlet, may be new to you, and useful in resisting the evil in question (title of pamphlet, "British Soldiers in India, in relation to their morals and health").

[The letter bears the signatures of fifty British missionaries working in India.]

Before the letter from British missionaries in India to ministers in the United Kingdom left India the Directors of the London Missionary Society had decided to send their protest against State sanction to immorality in the form of a memorial to the Secretary of State for India.

At their meeting on November 9 the following resolution, moved by the Rev. J. P. Gladstone, Chairman of the Directors in the Centenary Year of the Society 1895-6; seconded by Mr. Albert Spicer, M. P., Treasurer of the Society and supported by some of the most respected members of the Board, was carried with the most earnest enthusiasm:

"That this Board of Directors of the London Missionary Society, which has been preaching the Gospel of Jesus Christ in many parts of India for nearly 100 years, having had its attention called to the various reports issued by Her Majesty's Government at home, together with the new rules that have since been passed by the Indian Government for improving the health of our soldiers serving in India, desires, in the first place, to express its agreement with many of the suggestions, made for lessening the temptations to vice, such as warning and instructing young soldiers, and urging officers to interest themselves in the physical and moral welfare of those under their command."

"This Board notes with satisfaction the proposals of Her Majesty's Government that in future, soldiers suffering from disease caused by immorality shall lose their pay during their period of incapacity, for work, and this Board trusts Her Majesty's Government will insist that these proposals shall be carried into effect. It also hopes that henceforth such disease shall be looked upon as a disgrace as one that will affect future promotion and the ultimate certificate of character."

"This Board hails with special pleasure the words of Sir George White in his late General Order, in which he invites the co-operation of all officers and men from the highest to the lowest to use their best personal efforts 'in their several spheres of duty to lessen the evil.'"

"This Board would further respectfully suggest to the Government that, in addition to these proposals, it should take into consideration the desirability of increasing the number of married men in the army."

"Whilst cordially acknowledging the good which, it believes, will be effected by the suggestions referred to, if fully carried out, the Board observes with extreme regret that Her Majesty's Government has consented to the repeal of Act V of 1895, and that the Government of India has again established rules for dealing with disease, caused by vicious indulgence, which convey to men the impression that such indulgence is a necessity, and that this necessity is acknowledged by the Government, and indirectly provided for by the certification to those concerned that all women suffering from the particular disease have been exculpated from the Cantonment, and consequently, that such indulgence may be taken with small risk, if not with absolute impunity."

"This Board is absolutely opposed to all forms of regulating vice, because they bring the State into complicity with sin, because they mislead the men for whose supposed benefit they are passed and because they invariably fall with injustice and hardness upon the degraded and unhappy women who are subject to their action."

"The Board, therefore, earnestly beseeches Her Majesty's Government to re-consider and withdraw those rules which directly or indirectly give sanction to immorality, and to depend for the prevention and removal of disease upon moral influences, and upon legislation which is in harmony with moral law."

A HINDOO shopkeeper, named Esher, of the Butta caste, in Sialkot city, cut out his tongue and threw it into the temple before the idol of the God Devi the other day. Several similar cases have occurred in Sialkot district during the past two or three months.

THE Madras Governor's coming tour in Nellore and the Circars will be via Bezwada, on the Madras section of the East Coast Railway, now under construction and almost completed. At Vizianagram, His Excellency will confer with the Maharajah and Mr. Willock on the new system of administration being organised for the Vizianagram Zemindary.

A WIFE'S LETTER.

You have not heard from me, dear Janet, for a long time, but as we have always understood each other, that is of small account. To be understood, is to be loved, and there is perhaps no one so bad but would find some one to love her, if all her thoughts, temptations and hopes were laid bare.

You know, of course, that I am married—not over-wisely, all my friends said. My husband was poor, but that did not matter; I had money enough for both.

I met him down in Devon. He was on a walking tour with young Fraser, the dogmatic Scotch artist you will remember meeting once at Aunt Jane's. Like Fraser, he was an artist, and that was his first recommendation in my eyes. No, I will be frank with you, and say that he first interested me, because of his looks. I thought I had never seen anyone so handsome, and after all that happened since I can still take some pleasure in looking upon him as on a fine statue or a painting. He was full of enthusiasm towards me, and, fool that I was, I thought I was something more than a fine landscape or a sunset to him. He professed to love me; I believed him only too gladly, and we were married one morning, quietly in our old Devonshire church.

We went for few weeks to Keswick, and even now in the conventional surroundings of a Paris hotel, where I write, the joy of that time comes back to me. Again I see Skiddaw rising in lonely majesty from the foot of the lake, and watch the shadows of sunlit clouds pass slowly across his purple slopes, and the evening comes back to me when we rowed upon the water, and the crescent moon hanging low over the mountains seemed to dilate and sparkle with joy in the crystalline air.

We were happy enough, too, in the Forest of Fontainebleau, where we took a small cottage, my husband painting scenes of country life, and I, dressed like a peasant girl, with linen cap and sabots, serving as a model. He soon got tired, however, of the solitude of the grand woods, and became restless and discontented. The tranquillity of our life did not satisfy him. He had been bitten by the feverish spirit of the age, and the poison still worked in his blood. He craved for the excitements of town, for the theatre, the restaurant, the boulevards, and we came here to Paris.

Then I found that I was, in no true sense of the word, a wife to him. I was of little account in his life. He still professed to love me, was still interested in me, but in whom was he not interested? What handsome face did he not love? The understanding and sympathy which I found so charming, were not for me alone, but for all the world. I saw, too, that he could not help himself, and I understood the curse of being linked for life to an artist. While his sympathies ranged abroad to the four quarters of the heavens, I lost all sense of possession in him, feeling myself to be but a small item in his life and hating to think he was so much to me. Marry a fool, dear Janet, or a villain, but have nothing to do with artists. You will say that my insane jealousy warps my judgment; but to me they seem not men, but monsters. They sympathise with all manifestations of life, the bad equally with the good. They are creatures of the moment, slaves of whim, victims of their own imaginations. Life is not sacred to them; it is simply material to be experimented upon. They have no clear moral ideas; only, at best, fine instincts.

There is another woman in this wretched story, but of her I shall say little. He knew her in his student days, and an artist, it seems, never renounces the past. He surrounds it with an aureole of romance, and glorifies it at the expense of the present. Well, I am only the present, and even my hour is taken away from me.

If I did not still love him, the problem would be an easy one; it would then be possible to leave him and to forget. But I cannot give him up—he is my destiny for good or evil, and of one thing at least, I make sure: in future he will be mine alone.

He is now, as I write lying asleep. The lamp-light falls upon his fair face and short golden curls. I don't know why, but great beauty fills me with anguish—with an inexplicable yearning, as though beauty itself was but a pathway leading to the Infinite. His face to-night brings tears to my eyes. I read it like an open book. Character, it is said, is Destiny; and if it be so, then Destiny writes her prophecies in every face. It takes no witch to read the future, and there is a wild strain in my blood. I remember once in a country lane a gipsy, to whom I had refused an alms, upbraided me. "It'll become you," said she; "to refuse help to one of your own tribe," and her words agreed with a household tradition. I read in his face what it promises—a series of inevitable descents, failure, distraction. Already the conquest of appetite and instinct over reason and will, is proclaimed in it. Must I then go down with him through the Valley of Humiliation to the Pit? No; it is at least better to anticipate fate and avoid the greater evil. To those whom the antagonistic forces of life are tearing asunder, let the end come quickly.

The air of the room is growing denser and warmer. A red glow from a charcoal brazier, shines across the room; it touches the radiant head of the dear sleeper with the hues of the setting sun. I go with him into the night, and I know not whether my deed be a glory or a crime.

A BOG OAK TEN THOUSAND YEARS OLD.

AN extraordinary discovery, and one which I just now exciting considerable interest in antiquarian circles in Lancashire and Cheshire, has been made at Stockport. During the excavations in the construction of sewage works for the town, the workmen came across what has since proved to be a massive oak tree, with two immense branches. Professor Boyd Dawkins, the well-known antiquary, is of opinion that the tree is one of the giants of prehistoric times, and he says that it is certainly ten thousand years old. The Corporation of Stockport are at a loss what to do with the gigantic fossil which is supposed to weigh about forty tons, and as it is necessary that it should be removed, a proposal has been made to blow it up with dynamite. This has aroused the indignation of a large section of the public, who the other day, presented the following petition to the Corporation:—That there is a valuable

tree of old oak at present lying upon and exposed in the gravel on and within their property. That the quality in colour, grain and solidity is better than any that can be bought in the open market. That for artistic work alone it is greatly to be treasured, for nothing in England is at present grown which can come up to its dimensions. That it contains within itself sufficient material to make the furniture for any public building or town hall which may be erected for the public benefit within our borough. That it only requires lifting from its bed, which, in the opinion of competent geologists, may be roughly estimated as 15,000 years of occupation. That private efforts has failed to achieve its removal. That its destruction would be a public loss, and an artistic calamity. That your representatives in council be and are hereby requested to conserve for the borough this grant of Nature to her sons and daughters, whose signatures are hereby affixed.

The Corporation have reserved their decision, and in the meantime efforts are being made by local antiquarians and others to bring pressure to bear upon the council to preserve the tree for the benefit of the town and the country. It is believed that no discovery of such importance has hitherto been made in England, and this being so, it is hoped that those interested in such matters throughout the country will lend assistance towards preserving the tree.

NAWAB, a syce lately in the employ of Captain Forbes, Will. Regiment, Karachi, having pursued the wife of Fazil Khan, the Rev. Mr. Howard's groom, to forsake her husband for him, also assisted her to dispossess her lord and master of his worldly goods, of the aggregate value of about Rs. 1,000, whereafter the couple, taking Fazil Khan's daughter with them, made tracks for Bhawalpur, but were arrested by the railway police at Ruk Junction, and placed before the City Magistrate of Sukkur for receiving stolen property. On the application of Mr. Leggett, barrister-at-law, who represented the complainant, the Sadar Court ordered the case to be transferred to the Court of K. B. Framroze Punthaky, who sentenced Nawab to undergo nine months' rigorous imprisonment and to pay a fine of Rs. 50 or in default to suffer another 1½ months' imprisonment, the amount of the fine on recovery to be paid to Fazil Khan as compensation for the loss of his Afghan war medal and certificates, the woman being sent to jail for two months. Another case is pending against Nawab for having enticed the woman away, knowing her to be a married woman.

WHAT MAKES THEM CRV?

You have a very sore finger, let us say. It may be a hurt, a boil—or, worse still, that fearful thing, a felon. Oh, my! oh, my! what a time you have been trying to protect that poor finger. It is all the time getting hit or knocking against something. Simply to keep it out of harm's way worries you more than doing a day's work, and you don't succeed—and wouldn't, even with a dozen policemen to help you. You are scared of a fly threaten light on it.

That is the principle on which Mr. Elizabeth Allen couldn't bear the least noise. She had no sore finger, but she had what was still more sensitive—a body full of sore nerves; weak, starved, unstrung nerves. So the prattle of children, the closing of a door, the momentary roar of a waggon in the street, the clatter of dishes in the kitchen, the thousand and one sounds and noises that are in the air constantly—why, the smallest of them struck her like a blow from a club. Noises which are not regarded by a well person are like volleys of musketry to one in this condition. Millions of women know all about it, and plenty of men, too—crowds of them. You recognise them on sight—those who are subject to this affliction. Their lined foreheads, their bright suspicious eyes, their self-protecting gestures and manner—you've seen them. Perhaps you are one of them yourself. If so, you'd give all your money and mortgage your future to have a stronger set of nerves, wouldn't you? Let's talk about it two minutes, first quoting the lady's letter, which is dated May 11th, 1893, and written from her home, 263, Sydenham Street, Leicester.

"For many years," she says, "I suffered from indigestion and weakness. After meals I had a great pain in my chest. Every few days I had an attack of sick headache, and had to be constantly lying down on the couch; I strained and heaved a good deal, and spat up a sour nauseous fluid. As time went on I got very weak and nervous, and couldn't bear the least noise."

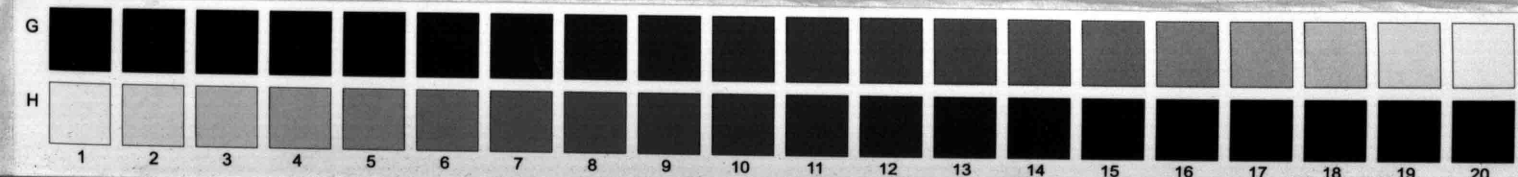
"I took all sorts of medicines and consulted doctors, but nothing did me much good. Later on I came to hear of Mother Seigel's Curative Syrup, and after taking it a short time the disease left me, and I was able to relish and digest my food. Owing to the virtue of this remedy I now keep in good health. (Signed) Elizabeth Allen."

And here is Mr. W. Nash, who says: "For fully ten years I suffered from periodic attacks of biliousness. At times a severe headache, preceded by excessive drowsiness; at other times, vomiting, and retching for a whole day; at other times, sleeplessness, pain in the chest, side, and stomach, coated tongue and bad breath—that was the way it acted with me. I grew very melancholy, and was not able to follow my business. I consulted doctors and used tonics, &c., but they only made me worse. I had constantly heard of your wonderful remedy, Mother Seigel's Syrup, but didn't believe in it. Then I read in *Will and Wisdom* of a case like mine, that the Syrup had cured it. So I tried it, and the first bottle acted like magic. The pains left me the first week, I repeated my food no more, and in a month all my ills were gone. Bless Mother Seigel for ever, I say.—Yours gratefully, (Signed) W. Nash, 331, Goswell Road, E. C., London, October 2nd, 1893."

Now, where is there room enough on paper to sufficiently praise a medicine that will do what this one did for these two good friends of ours? All pain, remember, is nervous pain, and in the above case it was the foul and inflamed stomach which, by stopping digestion, starved the nerves and made them cry out. What won't cry out when it is starved? Babies will, men will, women will, nerves will.

Mother Seigel's medicine set the stomach in order and gave the nerves some food. They what? Why, quiet, comfort, strength, rest, enjoyment.

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Gonorrhoea Mixture

CURES THOSE CASES WHICH ALLOPATHS AND HOMOEOPATHS FAIL TO CURE

Price refunded if it fails.

Prepared exclusively from the juice of the Indian vegetables. It cures any kind of GONORRHOEA and LEUCORRHOEA within 2 weeks. Three days' use will stop the mucus discharge. Received from a Fakir in Nepal-Terrai. Free from any injurious ingredients. Who became hopeless by using the medicines of Doctors please try once and you will see its curative power. The charming effect of this vegetable